

AMENDED IN ASSEMBLY JUNE 3, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1484

Introduced by Assembly Member Hertzberg
(Coauthor: Assembly Member McClintock)

February 28, 1997

An act to add *and repeal* Section 56302 ~~to~~ of the Government Code, relating to local government reorganization, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1484, as amended, Hertzberg. Local government reorganization.

Under the Cortese-Knox Local Government Reorganization Act of 1985, a local agency formation commission is established in each county for the review and approval of changes in boundaries of local agencies. Under that act, 2 or more changes of organization of local governmental entities constitute a reorganization.

This bill would create the Commission on Local Governance for the 21st Century, consisting of 15 members appointed by the Governor, the Assembly Committee on Rules, and the Senate Committee on Rules, as specified. The bill would require the commission to report to the Legislature and the Governor on specified topics relating to reorganization. *The bill would state that the commission shall remain in existence until January 1, 2000, and as of that date, would repeal the provisions relating to the commission, unless*

a later-enacted statute, enacted before January 1, 2000, deletes or extends the commission's existence.

This bill would appropriate ~~\$600,000~~ \$300,000 from the General Fund to the commission to carry out its duties and responsibilities.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56302 is added to the
2 Government Code, to read:
3 56302. (a) The Legislature finds and declares that
4 nearly 35 years have passed since legislators last
5 conducted a thorough investigation of the policies,
6 practices, and statutes affecting the organization and
7 boundaries of California's municipalities. That effort,
8 which resulted in the enactment of the Knox-Nisbet Act,
9 was the product of a careful study by the Commission on
10 Metropolitan Area Problems, commissioned by Governor
11 Edmund G. Brown, Sr. In the intervening decades, there
12 have been fundamental, constitutional, demographic,
13 economic, institutional, and political shifts in California
14 and within the state's communities. The sustained
15 interest in incorporating new cities, resistance to city
16 annexations, problems in financing municipal facilities
17 and services, and proposals to detach territory from
18 existing cities demonstrate the need for the Legislature
19 and the Governor to reevaluate the statutory policies and
20 procedures that have guided California's communities for
21 nearly 35 years. Therefore, the Legislature finds and
22 declares the necessity for commissioning a careful study
23 of municipal organization and boundaries, consistent
24 with its constitutional duty pursuant to subdivision (a) of
25 Section 2 of Article XI of the California Constitution.
26 (b) There is created the Commission on Local
27 Governance for the 21st Century which shall consist of 15
28 members. The Governor shall appoint nine members, the
29 Assembly Committee on Rules shall appoint three
30 members, and the Senate Committee on Rules shall

1 appoint three members. Each appointing authority shall
2 endeavor to appoint members who reflect the
3 geographic, ethnic, racial, gender, and cultural diversity
4 of the state. Each appointing authority shall appoint
5 members who have demonstrated an interest and have
6 proven academic or professional ability in the fields of
7 demography, urban economics, land use planning, public
8 finance, and the legal aspects of municipal organization
9 and boundaries.

10 (c) On or before June 30, 1999, the commission shall
11 report to the Legislature and the Governor regarding all
12 of the following:

13 (1) A review of the current statutes, including, but not
14 limited to, this division, regarding the policies, criteria,
15 procedures, and precedents for municipal boundary
16 changes.

17 (2) Proposals to add criteria to increase citizen and
18 community participation in municipal governments.

19 (3) Proposals to ensure conformity with the
20 requirements of federal law, including, but not limited to,
21 the federal Voting Rights Act of 1965 (42 U.S.C. Sec.
22 1971).

23 (4) Recommendations for statutory changes, if any.

24 (d) The commission shall conduct public meetings to
25 solicit the views and advice of the public, including
26 elected and appointed officials, regarding municipal
27 organization and boundaries.

28 (e) The commission shall select a chair and a vice chair
29 from among its membership.

30 (f) The members of the commission shall be
31 reimbursed their actual and necessary expenses for
32 attending the meetings of the commission. The
33 commission may authorize a payment of a per diem not
34 to exceed one hundred dollars (\$100) to its members for
35 each day while they are in attendance at meetings of the
36 commission. The cost of the quarters, equipment,
37 supplies, and operating expenses incurred by the
38 commission shall be paid from the appropriation made by
39 the act which enacted this section.

1 (g) *The commission shall remain in existence until*
2 *January 1, 2000, and as of that date, this section is repealed,*
3 *unless a later-enacted statute, enacted on or before*
4 *January 1, 2000, deletes or extends this section and the*
5 *commission's existence.*

6 SEC. 2. The sum of ~~six hundred thousand dollars~~
7 ~~(\$600,000)~~ *three hundred thousand dollars (\$300,000)* is
8 hereby appropriated from the General Fund without
9 regard to fiscal years to the Commission on Local
10 Governance for the 21st Century created by this act to
11 carry out its duties and responsibilities.

